

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA	:	:
Plaintiff	:	CIVIL ACTION NO.
	:	3:08cr224 (AWT)
VS.	:	
	:	
STAVROS GANIAS	:	FEBRUARY 27, 2010
Defendant	:	

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MOTION TO SUPPRESS EVIDENCE

The defendant, Stavros Ganiias, defendant in the above-entitled action, pursuant to Rule 12 (b)(3)(C) hereby files this Motion to Suppress Evidence and Memorandum in Support thereof and moves this Court to suppress any and all evidence recovered by the government and any of its agents derived from a search and seizure of the defendant's business computer pursuant to two search warrants dated November 17, 2003 and April 24, 2006. In support of this Motion is attached the affidavit of the defendant, Stavros Ganiias dated February 25, 2010. (Exhibit A)

The first warrant authorized the search of the defendant's business premises for the computer records, computer data, documents and materials related to American Boiler, Inc., and Industrial Property Management Inc. During the first search, in addition to the removal of numerous boxes of documents, a "mirror image" copy of the entire contents of the

defendant's three business computers were made and seized.

The second warrant authorized the search and seizure of the three previously imaged hard drives, which were still in the possession of the investigating agents, for the tax and business records of Stavros Ganiats and his business, Taxes International.

The defendant claims that such seizures and searches were in violation of every citizen's right to be secure in their persons, houses, papers, and effects from unreasonable searches and seizures as guaranteed by the 4th Amendment and 14th Amendment of the United States Constitution. Furthermore, the warrants were not supported by probable cause as required under the law and they were "general" in nature and thus prohibited.

The specific grounds and reasoning for said suppression will be further set forth in the defendant's Memorandum in Support of his Motion to Suppress which is attached hereto.

The defendant therefore moves to suppress any and all evidence recovered by the government and or its agents, pursuant to a search and seizure warrant dated November 17, 2003, relating to the seizure of his business computers from his accounting office, along with any evidence recovered from the three "mirror imaged" hard drives, whether seized pursuant to the first or second warrant referred to herein. were the subjects of the warrant.

In the alternative, the defendant, requests that this Court allow an evidentiary hearing so that a more complete record could be made as to the circumstances of the searches

conducted upon the defendant's computers and its imaged hard drives.

Respectfully submitted,
THE DEFENDANT,

BY: /s/ Robert A. Lacobelle

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CERTIFICATION

I hereby certify that on February 27, 2010, a copy of the foregoing Motion to Suppress Evidence was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the

/s/ Robert A. Lacobelle
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